

## **REMARKS**

By this Amendment, Applicants amend claims 1-4, 6-8, 11, and 12 to more appropriately define the present invention. Applicants also cancel claim 5 without any prejudice or disclaimer of the subject matter thereof. Claims 1-4 and 6-12 are currently pending.

In the Office Action, the Examiner indicated that the information disclosure statements has been put into file but not been considered as failing to comply with 37 C.F.R. § 1.98(a)(1). The Examiner objected to claims 1-12 as employing phrases of type "FOR" doing something; and objected to claims 7 and 8 as containing informalities. The Examiner rejected claims 4 and 10 under 35 U.S.C. § 112, second paragraph, as lacking sufficient antecedent basis; and rejected claims 1-12 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2003/0078002 to Sanjeev et al. ("Sanjeev").<sup>1</sup> Applicants respectfully traverse the Examiner's objections and rejections.

### **Regarding Information Disclosure Statement**

During a telephone conversation with the Examiner, the Examiner explained that the information disclosure statements (IDS) filed on July 16, 2002, and March 20, 2003 were not considered because listings of documents for these IDS were not in the file at the time of examination. The Examiner further informed that the listings of documents are now in the file, and the Examiner will therefore consider them along with this Amendment.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

### **Regarding Claim Objections**

Applicants respectfully traverse the Examiner's objection to claims 1-12 as employing phrases of type "FOR" doing something. However, to expedite the prosecution of this application, Applicants have changed the phrase in claims 1-4 and 6 from "FOR" doing something to "Configured to" do something. Accordingly, Applicants respectfully request withdrawal of the objection to claims 1-4 and 6.

Further, because claim 5 has been canceled, and claims 9-11 are method claims, the objection of claims 5 and 9-11 is moot.

Applicants also respectfully traverse the Examiner's objection to claims 7 and 8 as containing informalities. The Examiner alleged that "[c]laims 7 and 8 are objected to because of the following informalities: Claims 7 and 8 depend on one of claims 3 to 6." (Office Action at 3.) However, to expedite prosecution, multiple dependent claims 7 and 8 have been amended to depend from any one of claims 3, 5, and 6. Accordingly, Applicants respectfully request withdrawal of the objection to claims 7 and 8.

### **Regarding Claim Rejection under 35 U.S.C. § 112**

Applicants respectfully traverse the Examiner's rejection of claims 4 and 10 under 35 U.S.C. § 112, second paragraph, as lacking sufficient antecedent basis. To expedite the prosecution of this application, however, Applicants have changed "the designated communication controlling information" to "communication conditions designated by" in claim 4, and changed "the predetermined functions" to "predetermined functions" in claim 10. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 4 and 10 under 35 U.S.C. § 112.

### **Regarding Claim Rejection under 35 U.S.C. § 102**

Applicants respectfully traverse the Examiner's rejection of claims 1-12 under 35 U.S.C. § 102(e) as anticipated by Sanjeev. To anticipate Applicants' claimed invention under 35 U.S.C. § 102, each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Further, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989), emphasis added.

Claim 1, as amended, recites a combination including, for example, "a judging module configured to judge whether predetermined connection conditions with the target communication terminal are satisfied by repeating a target communication terminal discovery process before establishing radio communications with another target communication terminal." Sanjeev fails to disclose at least the above element as required by amended claim 1.

Sanjeev teaches "[a] method of wireless link (316) reestablishment between a remote device (302, 402) and a client device (304, 404) in a wireless personal area network (102, 202)." Sanjeev, abstract. "Connection data 318 is retained by remote device 302 and client device 304 in the event wireless link 316 is terminated. Connection data 318 together includes all necessary parameters relating to a particular communication session between client device 304 and remote device 302 so that in the event wireless link 316 is terminated, as described below, wireless link 316 can be quickly reestablished because necessary parameters relating to a communication

session are stored.” Sanjeev, para. [0028], emphasis added. However, Sanjeev’s teaching of quickly reestablishing a broken wireless link between client device 304 and remote device 302 does not constitute a teaching of “a judging module configured to judge whether predetermined connection conditions with the target communication terminal are satisfied by repeating a target communication terminal discovery process before establishing radio communications with another target communication terminal,” as required by amended claim 1 (emphasis added).

The Examiner alleged that “a judging module or Bluetooth protocol stack (Fig. 5, 500) for judging whether predetermined connection conditions with the target communication terminal are satisfied by repeating a target communication terminal discovery process before establishing radio communications with another target communication terminal (section 0030, line 1 – section 0036, line 8; section 0039, lines 16-20).” (Office Action at 4.) Applicants respectfully disagree.

Sanjeev teaches, in section 0030, line 1 – section 0036, line 8 and section 0039, lines 16-20, certain computer software programs that “can instruct processors to perform methods for wireless link reestablishment.” Sanjeev, para. [0036]. Sanjeev also mentions that during the reestablishment, “client device 304, 404 may continue to attempt to reestablish wireless link 316 up to a maximum number of attempts or until a timeout is reached via a timer.” Sanjeev, para. [0039]. However, as explained above, Sanjeev’s merely reestablishing wireless link 316 does not constitute a teaching of “a judging module configured to judge whether predetermined connection conditions with the target communication terminal are satisfied by repeating a target communication

terminal discovery process before establishing radio communications with another target communication terminal,” as required by amended claim 1 (emphasis added).

Therefore, Sanjeev fails to disclose all elements of claim 1. Sanjeev thus cannot anticipate claim 1 under 35 U.S.C. § 102(e). Accordingly, Applicants respectfully request withdrawal of the rejection of claim 1. Further, independent claims 2, 9, and 10, while of different scope, recite similar language to that of claim 1. Claims 2, 9, and 10 are therefore also allowable for at least the same reasons stated above. Applicants also request withdrawal of the rejection of claims 2, 9, and 10.

Independent claim 3, as amended, recites a combination including, for example, “a registration module configured to register communication controlling information that defines discriminating conditions for establishing a new connection with the target communication terminal or disconnecting an existing connection with the target communication terminal.” Sanjeev fails to disclose at least the above element as required by amended claim 3.

As explained, Sanjeev teaches “[a] method of wireless link (316) reestablishment between a remote device (302, 402) and a client device (304, 404) in a wireless personal area network (102, 202).” Sanjeev, abstract. The method “eliminates the user having to manually reestablish a wireless link in the event of inadvertent link termination. Also, wireless link is reestablished using existing connection data so that the communication reestablishment is transparent to the user.” Sanjeev, para. [0045]. However, Sanjeev fails to disclose at least “a registration module configured to register communication controlling information that defines discriminating conditions for establishing a new connection with the target communication terminal or disconnecting

an existing connection with the target communication terminal," as required by amended claim 3.

Therefore, Sanjeev fails to disclose all elements of amended claim 3. Sanjeev thus cannot anticipate claim 3 under 35 U.S.C. § 102(e). Accordingly, Applicants respectfully request withdrawal of the rejection of claim 3. Further, independent claims 4, 6, 11, and 12, while of different scope, recite similar language to that of amended claim 3. Claims 4, 6, 11, and 12 are therefore also allowable for at least the same reasons stated above. Applicants also request withdrawal of the rejection of claims 4, 6, 11, and 12.

Because claim 5 has been canceled, the rejection of claim 5 is moot. Furthermore, claims 7 and 8 depend from any one of claims 3, 4, and 6. Claims 7 and 8 are therefore also allowable for at least the same reasons stated above regarding the amended claim 3. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 7 and 8.

### **Conclusion**


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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